

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

DEC 23 2021

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

In re: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION,

INDIRECT PURCHASER PLAINTIFFS,

Plaintiff-Appellee,

v.

TOSHIBA CORPORATION; TOSHIBA AMERICA, INC.; TOSHIBA AMERICA INFORMATION SYSTEMS, INC.; TOSHIBA AMERICA CONSUMER PRODUCTS, LLC; TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC.; SAMSUNG SDI CO., LTD.; SAMSUNG SDI AMERICA, INC.; SAMSUNG SDI (MALAYSIA) SDN BHD; SAMSUNG SDI MEXICO S.A. DE C.V.; SAMSUNG SDI BRASIL LTDA.; SHENZEN SAMSUNG SDI CO., LTD.; TIANJIN SAMSUNG SDI CO., LTD.; HITACHI, LTD.; HITACHI DISPLAYS, LTD., AKA Japan Display, Inc.; HITACHI AMERICA, LTD; HITACHI ASIA, LTD.; HITACHI ELECTRONIC DEVICES (USA), INC.; PANASONIC CORPORATION, FKA Matsushita Electric Industrial Co., Ltd. (“MEI”), is a Japanese entity; PANASONIC CORPORATION OF NORTH AMERICA; MT PICTURE DISPLAY CO., LTD; PHILIPS KONINKLIJKE

No. 20-16685

D.C. No. 4:07-cv-05944-JST
Northern District of California,
Oakland

ORDER

N.V.; PHILIPS ELECTRONICS NORTH AMERICA CORPORATION; PHILIPS TAIWAN LIMITED; PHILIPS DO BRASIL LTDA.; THOMSON CONSUMER ELECTRONICS, INC.; THOMSON SA; TECHNOLOGIES DISPLAYS AMERICAS LLC,

Defendants-Appellees,

v.

ELEANOR LEWIS, Proposed Intervenor,

Movant-Appellant.

In re: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION,

INDIRECT PURCHASER PLAINTIFFS,

Plaintiff-Appellee,

v.

JEFF SPEAECT; GLORIA A.
COMEAUX; VALERIE G. DEICK; ERIC
R. COGGINS; DALE B. MCKENZIE;
HEATHER J. GORDON; MIGUEL A.
ALBARRAN; DAVID N. WATSON;
CRAIG A. SCHULER; MARY J.
BAUCOM; BRENDAN C. MCCANN;
DENNIS S. CORNETT; LISA L.

No. 20-16686

D.C. No. 4:07-cv-05944-JST
Northern District of California,
Oakland

BUTTERBRODT; JESSICA M.
MCINTYRE,

Objectors-Appellants,

v.

TOSHIBA CORPORATION; TOSHIBA AMERICA, INC.; TOSHIBA AMERICA INFORMATION SYSTEMS, INC.; TOSHIBA AMERICA CONSUMER PRODUCTS, LLC; TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC.; SAMSUNG SDI CO., LTD.; SAMSUNG SDI AMERICA, INC.; SAMSUNG SDI (MALAYSIA) SDN BHD; SAMSUNG SDI MEXICO S.A. DE C.V.; SAMSUNG SDI BRASIL LTDA.; SHENZEN SAMSUNG SDI CO., LTD.; TIANJIN SAMSUNG SDI CO., LTD.; HITACHI, LTD.; HITACHI DISPLAYS, LTD., AKA Japan Display, Inc.; HITACHI AMERICA, LTD; HITACHI ASIA, LTD.; HITACHI ELECTRONIC DEVICES (USA), INC.; PANASONIC CORPORATION, FKA Matsushita Electric Industrial Co., Ltd. (“MEI”), is a Japanese entity; PANASONIC CORPORATION OF NORTH AMERICA; MT PICTURE DISPLAY CO., LTD; PHILIPS KONINKLIJKE N.V.; PHILIPS ELECTRONICS NORTH AMERICA CORPORATION; PHILIPS TAIWAN LIMITED; PHILIPS DO BRASIL LTDA.; THOMSON CONSUMER ELECTRONICS, INC.; THOMSON SA; Technologies Displays

Americas LLC,

Defendants-Appellees.

In re: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION,

INDIRECT PURCHASER PLAINTIFFS,

Plaintiff-Appellee,

v.

TOSHIBA CORPORATION; TOSHIBA AMERICA, INC.; TOSHIBA AMERICA INFORMATION SYSTEMS, INC.; TOSHIBA AMERICA CONSUMER PRODUCTS, LLC; TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC.; SAMSUNG SDI CO., LTD.; SAMSUNG SDI AMERICA, INC.; SAMSUNG SDI (MALAYSIA) SDN BHD; SAMSUNG SDI MEXICO S.A. DE C.V.; SAMSUNG SDI BRASIL LTDA.; SHENZEN SAMSUNG SDI CO., LTD.; TIANJIN SAMSUNG SDI CO., LTD.; HITACHI, LTD.; HITACHI DISPLAYS, LTD., AKA Japan Display, Inc.; HITACHI AMERICA, LTD; HITACHI ASIA, LTD.; HITACHI ELECTRONIC DEVICES (USA), INC.; PANASONIC CORPORATION, FKA Matsushita Electric Industrial Co., Ltd. (“MEI”), is a Japanese entity; PANASONIC

No. 20-16691

D.C. No. 4:07-cv-05944-JST
Northern District of California,
Oakland

CORPORATION OF NORTH AMERICA; MT PICTURE DISPLAY CO., LTD; PHILIPS KONINKLIJKE N.V.; PHILIPS ELECTRONICS NORTH AMERICA CORPORATION; PHILIPS TAIWAN LIMITED; PHILIPS DO BRASIL LTDA.; THOMSON CONSUMER ELECTRONICS, INC.; THOMSON SA; TECHNOLOGIES DISPLAYS AMERICAS LLC,

Defendants-Appellees,

v.

SCOTT A. CALDWELL, as administrator of the Estate of Barbara Caldwell; ANTHONY GIANASCA; WARREN CUTLIP; MINA ASHKANNEJHAD, individually and/or as Administrator of the Estate of the Late R. Deryl Edwards, Jr.; JEFF CRAIG; GEORGE MAGLARAS; STEVEN HARRELSON; DONALD OELZE; WALKER, WARREN & WATKINS, LLC; SUSAN LAPAGE; DONNA MUCCINO; FELICIA BLACKWOOD,

Movants-Appellants.

In re: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION,

INDIRECT PURCHASER PLAINTIFFS,

No. 20-16699

D.C. No. 4:07-cv-05944-JST
Northern District of California,
Oakland

Plaintiff-Appellee,

v.

TOSHIBA CORPORATION; TOSHIBA AMERICA, INC.; TOSHIBA AMERICA INFORMATION SYSTEMS, INC.; TOSHIBA AMERICA CONSUMER PRODUCTS, LLC; TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC.; SAMSUNG SDI CO., LTD.; SAMSUNG SDI AMERICA, INC.; SAMSUNG SDI (MALAYSIA) SDN BHD; SAMSUNG SDI MEXICO S.A. DE C.V.; SAMSUNG SDI BRASIL LTDA.; SHENZEN SAMSUNG SDI CO., LTD.; TIANJIN SAMSUNG SDI CO., LTD.; HITACHI, LTD.; HITACHI DISPLAYS, LTD., AKA Japan Display, Inc.; HITACHI AMERICA, LTD; HITACHI ASIA, LTD.; HITACHI ELECTRONIC DEVICES (USA), INC.; PANASONIC CORPORATION, FKA Matsushita Electric Industrial Co., Ltd. (“MEI”), is a Japanese entity; PANASONIC CORPORATION OF NORTH AMERICA; MT PICTURE DISPLAY CO., LTD; PHILIPS KONINKLIJKE N.V.; PHILIPS ELECTRONICS NORTH AMERICA CORPORATION; PHILIPS TAIWAN LIMITED; PHILIPS DO BRASIL LTDA.; THOMSON CONSUMER ELECTRONICS, INC.; THOMSON SA; TECHNOLOGIES DISPLAYS AMERICAS LLC,

Defendants-Appellees,

v.

TYLER AYRES; MIKE BRATCHER;
NIKKI CRAWLEY; JAY ERICKSON;
HARRY GARAVANIAN; JOHN
HEENAN; HOPE HITCHCOCK; D.
BRUCE JOHNSON; JEFF JOHNSON;
KERRY MURPHY; CHRIS SEUFERT;
ROBERT STEPHENSON; GARY
TALEWSKY; WILLIAM TRENTHAM,

Movants-Appellants.

Before: W. FLETCHER and CLIFTON, Circuit Judges, and KATZMANN,*
Judge.

The panel has unanimously voted to deny Appellants' Motion for Rehearing
and Motion for Rehearing En Banc (Docket Entry No. 80). Judge Fletcher has
voted to deny the motion, and Judge Clifton and Judge Katzmann so recommend.

The full court has been advised of the motion for rehearing en banc, and no
judge has requested a vote on whether to rehear the matter en banc. Fed. R. App.
P. 35.

The motion for rehearing and motion for rehearing en banc are DENIED.

* The Honorable Gary S. Katzmann, Judge for the United States Court
of International Trade, sitting by designation.